

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRIAN C. ASHBAUGH,

No. 3:16-cv-02332-JR

Plaintiff,

ORDER

v.

MCMINNVILLE POLICE DEPARTMENT,
et al.,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Russo issued a Findings and Recommendation [106] on May 8, 2019, in which she recommends that the Court dismiss this action and deny all pending motions as moot. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v.*

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge’s report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court adopts Magistrate Judge Russo’s Findings and Recommendation [106]. Accordingly, this case is dismissed, and Defendants’ pending Motion for Summary Judgment [100] is denied as moot.

IT IS SO ORDERED.

DATED this 7 day of July , 2019.

Marco Hernandez

MARCO A. HERNÁNDEZ
United States District Judge